

MEMO ENDORSED

BURSOR & FISHER
P.A.

U.S. DISTRICT COURT
S.D.N.Y.
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May 18, 2022

Via ECF

The Honorable Valerie E. Caproni
United States District Court for the Southern District of New York
40 Foley Square
New York, NY 10007

Re: *McDaniel v. Home Box Office Inc.*, No. 1:22-cv-01942-VEC (S.D.N.Y.)

Dear Judge Caproni,

I represent the Plaintiffs in the above-referenced matter. I write to respectfully request that the Court adjourn the initial pretrial conference, which is currently set for June 3, 2022, along with the joint report and case management plan, which are due on May 26, 2022. On April 29, 2022, Defendant filed a Motion to Compel Arbitration (ECF No. 17). Plaintiffs believe that it will conserve judicial time and resources to decide the Motion to Compel Arbitration before setting initial deadlines for motions and discovery. This is Plaintiffs' first request, and Defendant does not oppose it. Plaintiffs propose the following deadlines:

- If the Court denies Defendant's Motion to Compel Arbitration, the parties will participate in an Initial Pretrial Conference within 30 days of that Order.
- The parties will submit a joint letter and case management plan no later than 7 days before the Initial Pretrial Conference.

Thank you for the Court's time and attention to this matter.

Very truly yours,



Philip L. Fraietta

cc: All Counsel of Record (via ECF)

Application GRANTED.

The initial pretrial conference, currently scheduled for Friday, June 3, 2022 at 2:00 P.M., is adjourned *sine die*. The Court will reschedule the initial pretrial conference and reset the deadline for pre-conference submissions upon resolution of the pending motion to compel arbitration.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni", is written over the printed name.

Date: May 18, 2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE